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## Levee land in dispute, repair funding at risk

Monday, April 25, 2005

By **Anne B. Jolis**  
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It's 600 yards of vegetation growth -- trees and weeds -- that no one lays claim to and no one wants to take care of.

Except the parcel along the Greenwich-Logan township border also contains a levee which deters flooding in portions of seven county towns.

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The Army Corps of Engineers said the levee along the Repaupo Creek near the Delaware River qualifies for federal funding for repairs.

But that funding can only be procured if the dense growth that layers both sides of the levee are cleared away so the Corps is able to inspect the area,

according to a November letter from the Corps to Logan Township.

Since then, Logan has requested that Thomas Brittingham, who owns eight acres of property near the levee, clear the vegetation. Brittingham has refused, as he claims the levee itself does not fall within his deed.

Three weeks ago, Brittingham was issued a summons from Frank Servais, Logan's zoning and property officer. The summons alleges Brittingham is in violation of township ordinances for not clearing away the vegetation, and demands that he appear in municipal court this Wednesday.

"I'm just so disgusted," said Brittingham. "They're laying the blame on me when this is their responsibility. When I go in there on Wednesday, I'm going to demand that the case be thrown out."

Logan Mayor Frank Minor said the township is taking steps to determine who owns the property.

"There are various ways of identifying the owner," he said. "From surveying the land to doing title searches. We haven't decided which method we'll use, but we will formulate a strategic plan to rectify the problem."

Minor was unable to give an estimated timeline for when the ownership would be decided, and wouldn't comment on why Brittingham was issued a summons if he is not the proven owner of the land.

Brittingham claimed the last documented owner of the property was Paul Martz, who leased the land to Charles Eickhoff, Brittingham's father, from 1940 to 1954. Martz and Charles Eickhoff are deceased.

Brittingham's brother, Charles Brittingham, owns and lives on a 20 foot by 40 foot parcel that sits on part of the levee, directly in front of his brother's property.

The levee is not the only part of the flood management system that needs attention. The 119-year-old bridge and sluice connecting the levee to Floodgate Road leaks in several places, and was condemned by Greenwich Township last summer as unsafe.

Since then, the bridge has been blocked off by a heavy steel gate, making it impossible for ambulances, fire trucks, police cars or utilities workers to reach Charles Brittingham's home.

Like the levee, no one is willing to claim full ownership of the bridge. It was built in 1886 by the Repaupo Meadow Co., defunct since the early 1970s.

Greenwich Township -- who has on different occasions paid for minor repairs to the bridge while insisting the span is not theirs -- is anticipating \$2.25 million in state funds to repair it, Mayor George Shivery said. Those funds are awaiting action by the Legislature.

However, to qualify for funding, Greenwich had to assume "limited sponsorship" of the span, and agree to take on 25 percent of the cost of repairs to the bridge and sluice.

Shivery noted U.S. Rep. Rob Andrews, D-Haddon Heights, is also working on additional bridge funding through federal sources.

"It's just a matter of time," Shivery predicted of the funding.

He noted the sluice is becoming costly -- two hinges were recently repaired.

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